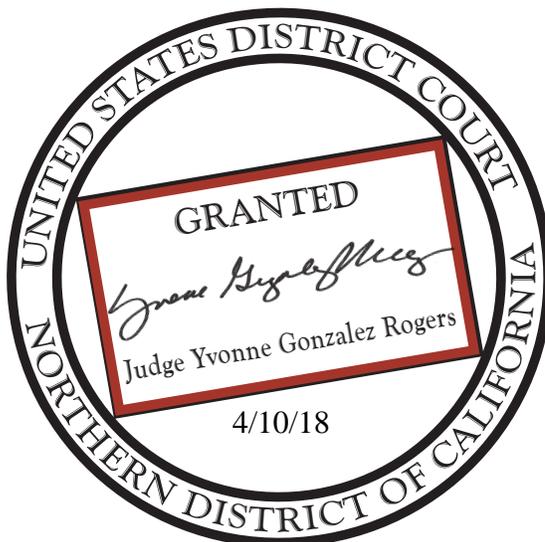


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13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
 15 **OAKLAND DIVISION**

17 CELLSPIN SOFT, INC.,
 18 Plaintiff,
 19 v.
 20 FITBIT, INC.,
 21 Defendant.

Case No. 4:17-cv-05928-YGR

[PROPOSED] JUDGMENT

Judge: Hon. Yvonne Gonzalez Rogers

1 This action having come before the Court, and pursuant to the Court’s Order (Dkt. No. 79)
2 granting Defendant Fitbit, Inc.’s (“Fitbit”) Motion to Dismiss (Dkt. No. 31) finding all asserted
3 claims of U.S. Patent Nos. 8,738,794 (the “’794 Patent”), 8,892,752 (the “’752 Patent”), and
4 9,749,847 (the “’847 Patent”) directed to patent-ineligible subject matter and therefore invalid
5 pursuant to 35 U.S.C. § 101—IT IS HEREBY ADJUDGED AND ORDERED that:

6 For the reasons set forth in the Court’s Order on April 3, 2018 (Dkt. No. 79), claims 1–4,
7 7, 9, 16–18, and 20–21 from the ’794 Patent, claims 1, 2, 4, 5, and 12–14 from the ’752 Patent,
8 and claims 1-3 from the ’847 Patent are invalid pursuant to 35 U.S.C. § 101.

9 The foregoing claims of the ’794, ’752, and ’847 Patents represent all pending claims at
10 issue in this case.

11 WHEREFORE JUDGMENT is entered in this case in favor of Defendant Fitbit and
12 against Plaintiff Cellspin Soft, Inc.

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14 Dated: April 10, _____, 2018


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document including all of its attachments with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on **April 9, 2018**. I further certify that service will be accomplished by the CM/ECF system and paper copies shall be served by first class mail, postage prepaid on all counsel who are not served through CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct. Executed on **April 9, 2018**.

/s/Shane Brun
SHANE BRUN